GOVERNMENT OF INDIA
HUMAN RESOURCE DEVELOPMENT
LOK SABHA

STARRED QUESTION NO:244
ANSWERED ON:16.12.2008
RIGHT TO EDUCATION BILL
Ajaya Kumar Shri S.;Sen Smt. Minati

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) the present status of the Right to Education Bill and its salient features;

(b) whether private educational institutions have been covered or are proposed to be covered under the ambit of the Bill;

(c) if so,the details thereof;

(d) whether the concerns expressed by various States regarding certain aspects of the Bill have been addressed to;and

(e) if so,the details thereof?

Answer

MINISTER OF HUMAN RESOURCE DEVELOPMENT(SHRI ARJUN SINGH)

(a) to (e) : A Statement is laid on the Table of the Sabha.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF LOK SABHA STARRED QUESTION NO.244 FOR ANSWER ON 16TH DECEMBER,2008 ASKED BY SHRI S. AJAYA KUMAR AND SHRIMATI MINATI SEN REGARDING RIGHT TO EDUCATION BILL.

(a) to (c): The Constitution (Eighty-Sixth Amendment) Act,2002 inserts Article 21-A to provide free and compulsory education of all children in the age group of six to fourteen years as a Fundamental Right in such manner as the State may,by law,determine.The Right of Children to Free and Compulsory Education Bill,2008 which represents the consequential legislation envisaged under Article 21-A, has been introduced in the Rajya Sabha.It provides interalia for:

(i) The right of children to free and compulsory education till completion of elementary education in a neighbourhood school.It clarifies that 'Compulsory education' casts an obligation on the appropriate Government to provide and ensure admission,attendance and completion of elementary education, and 'Free education' means that no child,other than a child who has been admitted by his or her parents to a school which is not supported by the appropriate Government,shall be liable to pay any kind of fee or charges or expenses which may prevent him or her from pursuing and completing elementary education.

(ii) It specifies the duties and responsibilities of appropriate Governments,local authority and parents in providing free and compulsory education, and sharing of financial and other responsibilities between the Central and State Governments.

(iii) It lays down the norms and standards relating inter alia to Pupil Teacher Ratios (PTRs), buildings and infrastructure, school working days, teacher working hours.

(iv) It provides for rational deployment of teachers by ensuring that the specified pupil teacher ratio is maintained for each school. It also provides for appointment of appropriately trained teachers with the requisite entry and academic qualifications.It prohibits deployment of teachers for non-educational work,other than decennial census,elections to local authority,state legislatures and parliament,and disaster relief.

(v) It prohibits inter alia
(i) physical punishment and mental harassment,
(ii) screening procedures for admission of children,
(iii) capitation fees,
(iv) private tuition by teachers and
(v) running of schools without recognition.

(vi) It provides for development of curriculum in consonance with the values enshrined in the Constitution,which would ensure the all-round development of the child,building on the child's knowledge,potentiality and talent through a system of child friendly and child centred learning.

(vii) It provides for protection and monitoring of the child's right to free and compulsory education and redressal of grievances by the

National and State Commissions for Protection of Child Rights,which shall have the powers of a civil court.

(viii) The Right of Children to Free and Compulsory Education Bill, 2008, is anchored in the belief that the values of equality,social justice and democracy and the creation of a just and humane society can be achieved only through provision of inclusive elementary education to all. Provision of free and compulsory education of satisfactory quality to children from disadvantaged and weaker sections is,therefore,not merely the responsibility of schools run or supported by the appropriate Governments, but also of schools which are not dependent on Government funds.

(d) & (e): Extensive consultations have been held with the State Governments on the issue of Right of Children to Free and Compulsory Education,and the process of consultation will continue even during the framing of the Rules and Regulations.